| | Application No. | Applicant(s) | |
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| Nation of Allower Wife | 10/702,333 | HAUSER ET AL. | |
| Notice of Allowability | Examiner | Art Unit | |
| | Igor Kershteyn | 3745 | |
| The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313 | (OR REMAINS) CLOSED in or other appropriate comministing the comministing of the commi | n this application. If not include unication will be mailed in due | ed course. THIS |
| 1. This communication is responsive to | | | |
| 2. The allowed claim(s) is/are <u>1-19</u> . | | | |
| 3. \boxtimes The drawings filed on $\underline{11/06/2003}$ are accepted by the Exa | aminer. | | |
| 4. ☐ Acknowledgment is made of a claim for foreign priority u a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have 3. ☐ Copies of the priority documents have 3. ☐ Copies of the priority documents have 4. ☐ All b) ☐ TRULL TO TR | e been received. e been received in Application occuments have been received of this communication to file MENT of this application. Initted. Note the attached EXA res reason(s) why the oath of the submitted. Son's Patent Drawing Review of Samendment / Comment of the header according to 37 CF posit of BIOLOGICAL MATERIOR. | on No d in this national stage applicated in this national stage applicated are properties. AMINER'S AMENDMENT or Not declaration is deficient. W (PTO-948) attached In the Office action of the drawings in the front (not the FR 1.121(d). ERIAL must be submitted. | quirements OTICE OF |
| Attachment(s) 1. ☑ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/C Paper No./Mail Date 11/06/2003 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material | 6. Interview S Paper No. 08), 7. Examiner's | formal Patent Application (PTC ummary (PTO-413), /Mail Date Amendment/Comment Statement of Reasons for Allo | · |

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Reasons for allowance

The following is an examiner's statement of reasons for allowance:

The instant invention is deemed to be directed to an unobvious improvement to a hydrostatic transmission over U.S. Patent No. 4,903,545 which teaches a hydrostatic transmission comprising: a hydraulic pump 20 driven by a pump shaft 47 and a hydraulic motor 22 engaged to and driving a motor shaft 35, wherein the pump 20 and motor 22 are mounted in a sump; a center section 48 mounted in the sump and supporting the hydraulic pump 20 and hydraulic motor 22, the center section 48 comprising: a pump running surface 72 having a first opening 47a formed therein to receive the pump shaft 47.

Regarding claim 1, the improvement comprises a first structure extending upward from and generally perpendicular to the pump running surface and comprising a second opening extending generally parallel to the pump running surface; and a second structure extending upward from and generally perpendicular to the pump running surface and comprising a third opening extending generally parallel to the pump running surface.

Regarding claim 10, the improvement comprises a first structure extending upward from and generally perpendicular to the pump running surface and defining a first plane, the first structure having a first opening formed therein parallel to the pump running surface; a second structure extending upward from and generally perpendicular to the pump running surface and defining a second plane, the second structure having a

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second opening formed therein parallel to the pump running surface; and wherein the pump running surface is positioned between the first plane and the second plane.

Regarding claim 19, the improvement comprises a first structure extending upward from and generally perpendicular to the pump running surface and comprising a first opening extending generally parallel to the pump running surface; and a second structure extending upward from and generally perpendicular to the pump running surface and comprising a second opening extending generally parallel to the pump running surface, wherein the first opening and the second opening are generally colinear.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consist of one patent.

Johnson (5,010,733) is cited to show a hydrostatic transmission having a center section with pump and motor running surfaces but fails to teach a first and a second structures extending upward to the pump running surface.

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Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kershteyn whose telephone number is (703) 308 8317. The examiner can be reached on Monday-Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look, can be reached on (703) 308 1044. The fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308 0861.

IK

October 5, 2004

Igor Kershteyn Patent examiner. Art Unit 3745

EDWARD K. LOOK SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

10/10/04